

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA	:
	:
vs.	: CRIMINAL ACTION NO. 10-00169-KD
	:
CHRISTOPHER JACKSON and	:
ROOSEVELT WESTRY	:

AMENDED PRETRIAL ORDER

A pretrial conference was held on September 13, 2010. Present at the conference were Assistant United States Attorney John Cherry and Christopher Knight, counsel for defendant, Christopher Jackson. On September 10, 2010 the government filed a motion to continue the trial and to consolidate this action with the trial of Jackson's co-defendant, Roosevelt Westry. (Doc. 20) Jackson is currently set for trial during the October 2010 term. However, Westry was only recently located in Louisiana and a writ has been issued for his return to this district where he is scheduled for arraignment on October 6, 2010.¹ As a result, the government now seeks a continuance of Jackson's trial setting to the December 2010 trial term which will enable the government to try the defendants together. Counsel for defendant Jackson advises that he does not oppose the motion.

Upon consideration of the motion, and the representations of counsel at the pretrial conference, the Court finds that the ends of justice served by continuing the trial of this defendant to the December 2010 trial term "outweighs the best interest of the public and the

¹ Since his arraignment date is scheduled for October 6, 2010, Defendant Westry will be placed on the December 2010 trial calendar.

defendants in a speedy trial." 18 U.S.C.A. § 3161(h)(7)(A). The Court further finds that the government's request that these co-defendants be tried together is reasonable under the circumstances and the ends of justice are served by the continuance. Specifically, because the defendants are charged with participating in the same act or transaction or in the same series of acts or transactions, it is more efficient for all involved to proceed on the case in one consolidated trial. For purposes of the Speedy Trial Act, any delay resulting from this continuance is excludable pursuant to 18 U.S.C. 3161(h)(6) ("A reasonable period of delay when the defendant is joined for trial with a co-defendant as to whom the time for trial has not run and no motion for severance has been granted.").

Upon consideration, the government's motion to continue and consolidate (doc. 20) is GRANTED. The trial is moved to the **December 2010** term with jury selection to be set on **November 29, 2010**. Defendant Christopher Jackson shall file a Speedy Trial Waiver by **September 24, 2010**. The Clerk of the Court is directed to refer this matter to the appropriate Magistrate Judge for scheduling of a pre-trial conference in November 2010.

DONE this the 13th day of September 2010.

/s/ Katherine P. Nelson
KATHERINE P. NELSON
UNITED STATES MAGISTRATE JUDGE